

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JOHN BENSON,
Plaintiff,

v.

Civil Action No. 05-11112-RWZ

MARRIOTT INTERNATIONAL, INC.,
Defendant.
_____ /

JOINT STATEMENT PURSUANT TO LOCAL RULE 16.1(D)

The parties, pursuant to Fed. R. Civ. P. 16(b) and Local Rule 16.1(D), hereby file this joint statement and proposed pre-trial schedule in connection with the Scheduling Conference to be held on July 28, 2005.

Proposed Pre-Trial Schedule

A. Proposed Discovery Plan

1. Interrogatories

One set of no more than 25 interrogatories by each party. Service no later than September 30, 2005 and responses in accordance with Rule 33.

2. Requests for Production of Documents

One set of no more than 25 requests for production of documents by each party. Service no later than September 30, 2005 and responses in accordance with Rule 34.

3. Depositions

Up to 6 depositions for each party. All depositions completed on or before January 17, 2006.

4. Expert Disclosure

Plaintiff to disclose all experts and reports as required by Fed. R. Civ. P 26 on or before November 14, 2005. Defendant to make counter-designation on or before November 30, 2005.

5. Discovery Deadline

All discovery shall be concluded on or before January 30, 2006.

B. Motion Schedule

1. All motions for summary judgment filed by March 6, 2006.
2. All oppositions filed by April 7, 2006.

C. Certifications

The parties will file Certifications pursuant to Local Rule 16.1 at or before the Scheduling Conference on July 28, 2005.

D. Referral To Magistrate Judge

The parties do not consent to a trial by a Magistrate Judge.

Respectfully submitted,
MARRIOTT INTERNATIONAL, INC.

By its attorney,

A handwritten signature in black ink, appearing to read "Kevin B. Callanan", written over a horizontal line.

Kevin B. Callanan (BBO #070620)
Law Office of Kevin B. Callanan
17 Accord Park Drive, Suite 101
Norwell, MA 02061
781-878-1604

Respectfully submitted,

JOHN BENSON

By his attorney,

A handwritten signature in black ink, appearing to read "John W. Davis (KBC)", written over a horizontal line.

John W. Davis (BBO #648399)
Davis & Davis, P.C.
77 Franklin Street – 3rd Floor
Boston, Massachusetts 02110
617-933-3838

Date: July 25, 2005

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN BENSON,
Plaintiff

v.

Civil Action No. 05-11112-RWZ

MARRIOTT INTERNATIONAL, INC.
Defendant

CERTIFICATION PURSUANT TO
LOCAL RULE 16.1(D) (3)

The Defendant, Marriott International, Inc., and undersigned counsel
hereby affirm that they have conferred:

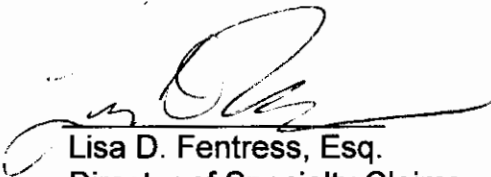
(a) with a view to establishing a budget for the costs of conducting the full
course-- -- and various alternative courses-- -- of the litigation; and


(b) to consider the resolution of the litigation through the use of alternative
dispute resolution programs such as those outlined in Local Rule 16.4.

Respectfully submitted,

MARRIOTT INTERNATIONAL, INC.

By its attorney,


Lisa D. Fentress, Esq.
Director of Specialty Claims
Marriott International, Inc.


Kevin B. Callanan BBO #070620
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17 Accord Park Drive, Suite 101
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781-878-1604

Dated: July 21, 2005